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Trade and Development Board
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Intergovernmental Group of Experts on Competition Law and Policy
Seventeenth session
Geneva, 11–13 July 2018
Item 2 of the provisional agenda
Adoption of the agenda and organization of work

Provisional agenda and annotations

I. Provisional agenda

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2. Adoption of the agenda and organization of work
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   - (b) Voluntary peer review of competition law and policy of Botswana
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II. Annotations

Item 1
Election of officers

1. The Intergovernmental Group of Experts on Competition Law and Policy will elect a Chair and a Vice-Chair-Cum-Rapporteur.

Item 2
Adoption of the agenda and organization of work

2. The Intergovernmental Group of Experts may wish to adopt the provisional agenda contained in chapter I above.

3. It is proposed that the first plenary meeting, which will start at 3 p.m. on Wednesday, 11 July 2018, be devoted to procedural matters (items 1 and 2 of the provisional agenda) and introductory statements. The closing plenary meeting, on Friday, 13 July 2018, will be devoted to the adoption of the report and the provisional agenda of the eighteenth session of the Intergovernmental Group of Experts to be held in July 2019 (item 4 of the provisional agenda). In view of the short duration of the session, the Vice-Chair-cum Rapporteur will be authorized to complete the final report after closure of the session.

4. The remaining meetings, from 11 July (after the election of officers and general statements) to the morning of 13 July, can then be devoted to substantive items 3 (a) to 3 (e) of the provisional agenda (see annex). If necessary, the adoption of the report may be postponed until the late afternoon of 13 July in order to allow for an informal working session to be held that afternoon.

Item 3
Work programme, including capacity-building in and technical assistance on competition law and policy

5. The Intergovernmental Group of Experts on Competition Law and Policy will consider the UNCTAD secretariat report entitled "Review of capacity-building in and technical assistance on competition and consumer protection law and policy" (TD/B/C.I/CPLP/14) and will hear a presentation by the secretariat on the main activities implemented and on projects currently under way, as well as contributions from representatives of beneficiary countries and donor agencies. The Intergovernmental Group of Experts is expected to give guidance to the secretariat on further capacity-building work to be undertaken on competition law and policy. In accordance with paragraph 8 of the agreed conclusions adopted by the Intergovernmental Group of Experts on Competition Law and Policy at its sixteenth session (TD/B/C.I/CLP/47), the Intergovernmental Group of Experts will consider the following issues at the session: challenges faced by developing countries in competition and regulation in the maritime transport sector; and competition issues in the sale of audiovisual rights for major sporting events.

6. To facilitate a round-table discussion on the two topics, the secretariat has prepared two background documents entitled "Challenges faced by developing countries in competition and regulation in the maritime transport sector" (TD/B/C.I/CLP/49) and "Competition issues in the sale of audiovisual rights for major sporting events" (TD/B/C.I/CLP/50).

7. The Seventh United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices decided that UNCTAD should undertake further voluntary peer reviews of competition law and policy in member States or regional groupings (TD/RBP/CONF.8/11, paragraph 7). In accordance with paragraph 3 of the agreed conclusions adopted by the Intergovernmental Group of Experts at its sixteenth session, the

Intergovernmental Group of Experts will conduct a peer review of the competition law and policy of Botswana. The full report of the peer review will be made available (UNCTAD/DITC/CLP/2018/1) and, to facilitate discussion of the report, an overview will be made available in all languages (TD/B/C.I/CLP/51).

8. In accordance with paragraph 10 of the agreed conclusions adopted by the Intergovernmental Group of Experts on Competition Law and Policy at its sixteenth session, the UNCTAD secretariat will present the revised and updated commentaries on chapters V and VI of the model law on competition on the basis of submissions received from member States.

9. Experts are invited to make oral presentations supported by short written papers on the subjects referred to above. The papers will be made available in the meeting room during the consultations. Should States wish to hold consultations on other subjects, they are invited to inform the UNCTAD secretariat of the subject by no later than 15 May 2018, to enable all participants to prepare for the consultations.

Item 4
Provisional agenda for the eighteenth session of the Intergovernmental Group of Experts on Competition Law and Policy

10. Acting in its capacity as preparatory body for the eighteenth session, the Intergovernmental Group of Experts on Competition Law and Policy is expected to agree on the provisional agenda for the next session.

11. The Seventh United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices decided that future sessions of the Intergovernmental Group of Experts should include at least four clusters of issues for informal consultations among participants on competition law and policy issues, with a special focus on practical cases (TD/RBP/CONF.8/11, paragraph 19), namely:

(a) Competition and inclusive and sustainable development

(b) Best practices in the design and enforcement of competition law and policy and its interaction with consumer protection

(c) Provision of capacity-building and technical assistance

(d) International cooperation and networking.

12. The Conference also invited Governments, during future consultations at meetings of the Intergovernmental Group of Experts, to clarify the scope or application of competition laws and policies, with a view to improving mutual understanding of substantive principles and procedures of competition law and policy (TD/RBP/CONF.8/11, paragraph 21). In this context, Governments may wish to discuss the following:

(a) How competition law and policy should apply to State activities such as the regulation of State enterprises, State monopolies, natural monopolies and enterprises with exclusive rights granted by the State

(b) The contribution of competition policy in reducing all forms of poverty in the context of the post-2015 development agenda.

Item 5
Adoption of the report of the Intergovernmental Group of Experts on Competition Law and Policy

13. The Intergovernmental Group of Experts will adopt its report to the Trade and Development Commission.

Experts are requested to inform of their intention to submit papers and contributions to the UNCTAD secretariat as soon as possible and before Friday, 16 April 2018. Written papers and contributions can be submitted to the UNCTAD secretariat until Friday, 1 June 2018.

For further information, please contact Pierre Horna, Legal Affairs Officer, Competition and Consumer Policies Branch, Division on International Trade and Commodities, UNCTAD (email: pierre.horna@un.org).

Annex

Intergovernmental Group of Experts on Competition Law and Policy, seventeenth session

11–13 July 2018

Provisional meeting schedule

Palais des Nations, E-Building, room XVII

	Wednesday, 11 July 2018	*Thursday, 12 July 2018*	*Friday 13 July 2018*
10–11 a.m.		**Voluntary peer review on competition law and policy of Botswana**	**Round table** Challenges faced by developing countries in competition and regulation in the maritime transport sector
11–11.30 a.m.			
11.30 a.m.–1 p.m.		Review of UNCTAD virtual repository on good practices	
3–3.30 p.m.	**Opening plenary**	**Round table**	**Closing session**
	Keynote speech: Contribution of competition policy to the achievement of the Sustainable Development Goals	Competition issues in the sale of audiovisual rights for major sporting events	- Agreed conclusions - Provisional agenda for the eighteenth session of the Intergovernmental Group of Experts - Adoption of the report of the session
3.30–4.30 p.m.	Review of capacity-building in and technical assistance on competition and consumer protection law and policy		
4.30–6 p.m.	Report of discussion group on international cooperation		